



**U.S. Department of
Transportation**
Office of the Secretary
of Transportation

NOTICE OF ACTION TAKEN

DOCKET OST-98-3978

This serves as interim notice to the public of the action described below, taken orally by the Department official indicated; the confirming order or other decision document will be issued as soon as possible.

Applicant: **Antonov Design Bureau**

Date Filed: June 23, 1998

Relief requested: Exemption pursuant to 49 U.S.C. section 40109(g) to operate one one-way cargo charter flight from Philadelphia, PA, to Moffett Field, CA, during the period June 28-July 3, 1998, using its AN-124 aircraft, to transport one outsized telecommunications satellite and related equipment on behalf of Lockheed Martin Missiles & Space.

Applicant representative: Sheryl Israel 202-663-8312

Responsive pleadings: Antonov served its application on those U.S. carriers operating large all-cargo aircraft. Each carrier indicated that it did not have aircraft available to conduct the proposed operations, and that it had no comment or did not oppose grant of the requested authority.

DISPOSITION

Action: Approved

Action date: June 25, 1998

Effective dates of authority granted: June 28 - July 3, 1998

Basis for approval: We found that the application met all the relevant criteria of 49 U.S.C. section 40109(g) for the grant of an exemption of this type, and that the grant was required in the public interest. Moreover, based on the representations of the U.S. carriers, we concluded that no U.S. carrier had aircraft available which could be used to conduct the operation at issue here. We also found that grant of Antonov's request would prevent undue hardship to Lockheed Martin.

Except to the extent exempted/waived, this authority is subject to standard exemption conditions, and to the condition that Antonov comply with an FAA-approved flight routing for the authorized flight

Action taken by: **CHARLES A. HUNNICUTT**
Assistant Secretary for Aviation
and International Affairs